

PTO/SB/17 (10-08)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2009

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 52.00

Complete if Known

Application Number	10/723,648
Filing Date	11/26/2003
First Named Inventor	Allan R. Wells
Examiner Name	Martin, Angela J.
Art Unit	1795
Attorney Docket No.	DE258-67262/DP-308340

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-4635 Deposit Account Name: Woods Oviatt Gilman

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195
Total Claims	Extra Claims	Fee (\$)
21 - 20 or HP = 1	x	52.00 = 52.00
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

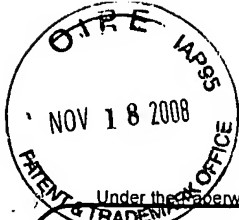
Fees Paid (\$)

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 46,653	Telephone (585) 987-2800
Name (Print/Type)	Dennis B. Danella, Esq.		Date November 14, 2008

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

20

Application Number

10/723,648

Filing Date

11/26/2003

First Named Inventor

Allan R. Wells

Art Unit

1795

Examiner Name

Martin, Angela J.

Attorney Docket Number

DE258-67262/DP-308340

ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/
Incomplete Application



Reply to Missing Parts
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a
Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board
of Appeals and Interferences



Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify
below):

See Remarks

Remarks

Amendment and Response to Office Action (13 pages);
Fee Transmittal (1 page);
Certificate of Mailing by First Class Mail for the above;
Return Receipt Postcards (2).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Woods Oviatt Gilman LLP

Signature

Printed name

Dennis B. Danella, Esq.

Date

November 14, 2008

Reg. No.

46,653

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Typed or printed name

Lydia A. Ginther

Date

November 14, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT
Serial No.: 10/723,648 (DE258-67262/DP-308340)

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant(s): Allan R. Wells et al.) Examiner: A. Martin
)
Serial No.: 10/723,648) Art Unit: 1795
)
Filed: November 26, 2003) Confirmation No. 8779
)
For: PEM FUEL CELL ASSEMBLY)
FORMED OF MODULAR)
SUB-ASSEMBLIES)
)

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 C.F.R. 1.8)

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the following correspondence:

Fee Transmittal (1 page)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 C.F.R. 1.8(a)] on

November 14, 2008
Date

Lydia A. Ginther
(Typed or printed name of person
mailing paper or fee)

Lydia A. Ginther
(Signature of person mailing paper
or fee)



PATENT
Serial No.: 10/723,648 (DE258-67262/DP-308340)

9FW✓

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant(s):	Allan R. Wells et al.)	Examiner: A. Martin
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Serial No.:	10/723,648)	Art Unit: 1795
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Filed:	November 26, 2003)	Confirmation No. 8779
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For:	PEM FUEL CELL ASSEMBLY)	
	FORMED OF MODULAR)	
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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 C.F.R. 1.8)

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the following correspondence:

Amendment and Response to Office Action (16 pages)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 C.F.R. 1.8(a)] on

November 14, 2008
Date

Lydia A. Ginther
(Typed or printed name of person
mailing paper or fee)

Lydia A. Ginther
(Signature of person mailing paper
or fee)



PATENT
Serial No. 10/723,648 (DE258-67262/DP-308340)
Response to Office Action mailed August 14, 2008

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant(s):	Allan R. Wells et al.)	Examiner: A. Martin
Serial No.:	10/723,648)	Art Unit: 1795
Filed:	November 26, 2003)	Confirmation No. 8779
For:	PEM FUEL CELL ASSEMBLY FORMED OF MODULAR SUB-ASSEMBLIES)	

AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed August 14, 2008, please amend the above-identified patent application as following:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks beginning on page 9 of this paper.